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Davis v. Patrick, 141 U. S. 489. By the weight of authority, however, a stockholder has not such an interest in a corporation that his promise to answer for its debts is an original one and not within the Statute of Frauds. *Turner v. Lyles*, 68 S. C. 392, 48 S. E. 301; *Harburg India Rubber Co. v. Martin* [1902] 1 K. B. 778; *Walther v. Merrill*, 6 Mo. App. 370. The contrary to the principal case was held in *Home Nat. Bank v. Waterman*, 134 Ill. 161.

TORT—WHAT CONSTITUTES CONVERSION.—A liveryman let a horse to an infant to go to a certain place. He drove beyond and the horse died before it was returned, although not because of the extra driving. *Held*, that the defendant was not guilty of conversion. *Daugherty v. Reveal* (Ind. 1913) 102 N. E. 381.

The decision is a departure from the old rule that any intentional deviation from the agreed route or driving beyond the place specified in the contract works a conversion. *Woodman v. Hubbard*, 25 N. H. 67, 57 Am. Dec. 310; *Wentworth v. McDuffie*, 48 N. H. 402; *Homer v. Thwing*, 3 Pick. 492; *Perham v. Coney*, 117 Mass. 102, and *Fish v. Ferris*, 5 Duer. 49. The decision in the principal case was not placed upon the ground that defendant was a minor, and if it was *Freeman v. Boland*, 14 R. I. 39, 51 Am. Rep. 340; and *Churchill v. White*, 58 Neb. 22, 76 Am. St. Rep. 64 hold that the same rule applies to minors as to adults. In harmony with the principal case and perhaps representing the current of modern decisions are *Doolittle v. Shaw*, 92 Iowa 348, 26 L. R. A. 366; *Young v. Muhling*, 48 App. Div. 617, 63 N. Y. Supp. 181; *Harvey v. Epes*, 16 Grattan 76. It was held in *Penrose v. Cunnen*, 3 Rawle 351, 24 Am. St. Rep. 356 that an infant was not liable for conversion although the horse died from the cruel excessive driving.

WILLS—CONSTRUCTION.—Testator devised land to his wife to hold during her life, and at her death to pass to his daughter for her life and after her death to become vested in her children in fee simple, and, in default of children, then in such persons as she might direct, and providing that *in no event should the fee simple of the land be vested in his wife or daughter*. *Held*, applying the rule of Shelley's Case the daughter took a fee simple estate, the subsequent provision being ineffective to prevent the operation of such rule, though the testator otherwise intended. *Lauer v. Hoffman* (Pa. 1913), 88 Atl. 496.

"The purpose in construing a will is to ascertain the intention of the testator so that it may be carried out in the disposition which he has made of his property. Technical rules of construction should only be resorted to and applied in the interpretation of wills when found to be necessary in determining the meaning of the instrument so as to effectuate the purpose of the testator. If the language employed by him in disposing of his estate is plain and clearly discloses his intention, the will interprets itself, and hence no rules of construction are necessary to aid in its interpretation." *Wood v. Schoen*, 216 Pa. 425. "All mere technical rules of construction must give way to the plainly expressed intention of a testator, if that intention is lawful. It is a rule of common sense as well as law not to attempt to construe that